



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.: 10/672,585  
Applicant: Gosselin, *et al.*  
Filed: September 26, 2003  
TC/A.AU.: To be assigned  
Examiner: To be assigned

Confirmation No.: 9596

Docket No.: 18085.105102 EMU 120 CIP 3  
Customer No.: 20786  
Title: 2' or 3'-Deoxy and 2'-3'-Dideoxy-Beta-L-Pentofuranonucleoside Compounds,  
Method of Preparation and Application in Therapy, Especially as Anti-Viral Agents

Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

**Supplemental Information Disclosure Statement**

Sir:

The citation of information on the accompanying Form PTO-1449, "List of Art Cited by Applicant" is made pursuant to 37 C.F.R. §§ 1.56, 1.97, and 1.98. A copy of each reference was cited during prosecution of the following parent application: U.S.S.N. 08/612,965. The citation of this information does not constitute an admission of priority or that any cited item is available as a reference, or a waiver of any right the applicant may have under applicable statutes, Rules of Practice in patent cases, or otherwise.

Applicant does not believe any fees are due because this paper is submitted before the mailing of a first Office action on the merits, as under 37 C.F.R. § 1.97(b)(3). However, the Commissioner is hereby authorized to charge any fees due or credit any overpayment, to Deposit Account No. 11-0980.

Respectfully submitted,

Madeline I. Johnston, Ph.D., Esq.  
Reg. No. 36,174

Dated: April 29, 2004

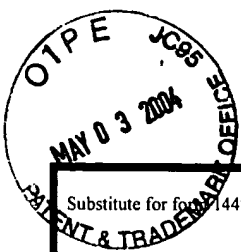
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**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(use as many sheets as necessary)

Sheet

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of

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**Complete if Known**

Application Number	10/672,585
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First Named Inventor	Gosselin, <i>et al.</i>
Group Art Unit	To be assigned
Examiner	To be assigned
Attorney Docket Number	18085.105102 EMU 120 CIP 3

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**U.S. PATENT DOCUMENTS**

Examiner Initials	Cite No. <sup>1</sup>	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pgs, Clmns, Lns, Where Relevant Passages/Relevant Figs Appear
		Number	Kind Code (if known)			
	AA	3,116,282	A	Hunter, <i>et al.</i>	12-31-1963	
	AB	3,553,192	A	Gauri, <i>et al.</i>	01-05-1971	
	AC	4,000,137	A	Dvonoch, <i>et al.</i>	12-28-1976	
	AD	4,140,761	A	Gerin, <i>et al.</i>	02-20-1979	
	AE	4,336,381	A	Nagata, <i>et al.</i>	06-22-1982	
	AF	4,818,538	A	Rideout, <i>et al.</i>	04-04-1989	
	AG	4,861,759	A	Mitsuya, <i>et al.</i>	08-29-1989	
	AH	4,879,277	A	Mitsuya, <i>et al.</i>	11-07-1989	
	AI	4,900,828	A	Belica, <i>et al.</i>	02-13-1990	
	AJ	4,916,122	A	Chu, <i>et al.</i>	04-10-1990	
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	AL	5,041,449	A	Belleau, <i>et al.</i>	08-20-1991	
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	AO	5,089,500	A	Daluge	02-18-1992	
	AP	5,149,794	A	Yatvin, <i>et al.</i>	09-22-1992	
	AQ	5,151,426	A	Belleau, <i>et al.</i>	09-29-1992	
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	AX	5,234,913	A	Furman, Jr.	08-10-1993	
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	AAB	5,276,151	A	Liotta	01-04-1994	
	AAC	5,411,947	A	Hostetler, <i>et al.</i>	05-02-1995	
	AAD	5,444,063	A	Schinazi	08-22-1995	

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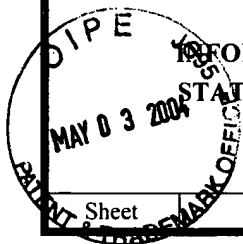
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		Group Art Unit	Unassigned
		Examiner Name	Unassigned
		Attorney Docket Number	18085.105102 EMU 120 CIP 3



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		Number	Kind Code (if known)			
	BA	5,463,092	A	Hostetler, <i>et al.</i>	10-31-1995	
	BB	5,466,806	A	Belleau, <i>et al.</i>	11-14-1995	
	BC	5,486,520	A	Belleau, <i>et al.</i>	01-23-1996	
	BD	5,532,246	A	Belleau, <i>et al.</i>	07-02-1996	
	BE	5,539,116	A	Liotta, <i>et al.</i>	07-23-1996	
	BF	5,543,389	A	Yatvin, <i>et al.</i>	08-06-1996	
	BG	5,543,390	A	Yatvin, <i>et al.</i>	08-06-1996	
	BH	5,543,391	A	Yatvin, <i>et al.</i>	08-06-1996	
	BI	5,554,728	A	Basava, <i>et al.</i>	09-10-1996	
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	BL	5,770,713	A	Imbach	06-23-1998	
	BM	5,770,725	A	Gosselin, <i>et al.</i>	06-23-1998	
	BN	5,849,905	A	Gosselin, <i>et al.</i>	12-15-1998	

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		Office <sup>3</sup>	Number	Kind Code <sup>2</sup> (if known)				
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<input checked="" type="checkbox"/>	BAA	EP	0 526 253	A1	Biochem Pharma	02-03-1993		

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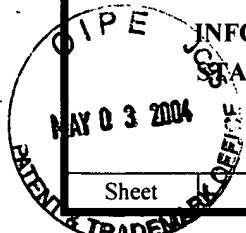
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# INFORMATION DISCLOSURE STATEMENT BY APPLICANT

Sheet 3 of 9

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Attorney Docket Number	18085.105102 EMU 120 CIP 3

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## FOREIGN PATENT DOCUMENTS

Examiner Initials	Cite No. <sup>1</sup>	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document DD-MM-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Office <sup>3</sup>	Number	Kind Code <sup>2</sup> (if known)				
	CA	WO	88/07532	A1	Nycomed	10-06-1988		
	CB	WO	88/08001	A1	Aktiebolaget Astra	10-20-1988		
	CC	WO	89/02733	A1	University of California	04-06-1989		
	CD	WO	90/00555	A1	Vical Inc.	01-25-1990		
	CE	WO	90/12023	A1	Walker; Jones	10-18-1990		
	CF	WO	91/11186	A1	Emory University	08-08-1991		
	CG	WO	91/16920	A1	Vical Inc.	11-14-1991		
	CH	WO	91/17159	A1	IAF Biochem International Inc.	11-14-1991		
	CI	WO	91/18914	A1	Vical Inc.	12-12-1991		
	CJ	WO	91/19721	A1	Glazier	12-26-1991		
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	CL	WO	92/06102	A1	Medivir Aktiebolag	04-16-1992		
	CM	WO	92/08717	A1	IAF Biochem International Inc.	05-29-1992		
	CN	WO	92/08727	A1	Consiglio Nazionale delle Ricerche	05-29-1992		
	CO	WO	92/10496	A1	Univ. Georgia Res. Found.	06-25-1992		
	CP	WO	92/10497	A1	Univ. Georgia R.F.; Emory Univ.	06-25-1992		
	CQ	WO	92/14729	A1	Emory University	09-03-1992		
	CR	WO	92/14743	A2	Emory University	09-03-1992		
	CS	WO	92/15308	A1	Wellcome Foundation Ltd.	09-17-1992		
	CT	WO	92/18517	A1	Yale Univ.; Univ. Georgia R.F.	10-29-1992		
	CU	WO	92/21676	A1	Glaxo Group Ltd.	12-10-1992		
	CV	WO	93/00910	A1	Vical Inc.	01-21-1993		
	CW	WO	93/12128	A1	C.N.R.S.	06-24-1993		
	CX	WO	93/12131	A1	C.N.R.S.	06-24-1993		
	CY	WO	93/12132	A1	C.N.R.S.	06-24-1993		
	CZ	WO	93/24510	A1	C.N.R.S.	12-09-1993		
	CT	WO	94/04154	A1	Univ. Georgia R.F.; Emory Univ.	03-03-1994		
	CU	WO	94/05300	A1	Biochem Pharma Inc.	03-17-1994		
	CV	WO	94/09793	A1	Emory University	05-11-1994		

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	DA	WO	94/14456	A1	Biochem Pharma Inc.	07-07-1994		
	DB	WO	94/14802	A1	Biochem Pharma Inc.	07-07-1994		
	DC	WO	94/26273	A1	Hostetler	11-24-1994		
	DD	WO	94/26764	A1	C.N.R.S.	11-24-1994		
	DE	WO	94/27616	A1	Yale University	12-08-1994		
	DF	WO	95/07086	A1	Emory; CNRS; UAB Res. Found.	03-16-1995		
	DG	WO	95/07287	A1	C.N.R.S.	03-16-1995		
	DH	WO	95/11252	A1	C.N.R.S.	04-27-1995		
	DI	WO	95/20595	A1	Univ. Georgia R. F.; Yale Univ.	08-03-1995		
	DJ	WO	96/15132	A1	University of California	05-23-1996		
	DK	WO	96/40164	A1	Emory; UAB Res. Found.; CNRS	12-19-1996		

OTHER PRIOR ART – NON PATENT LITERATURE DOCUMENTS				
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	DL	ASSELINE, <i>et al.</i> , "Synthesis and Physicochemical Properties of Oligonucleotides built with either alpha-L or beta-L Nucleotides Units and Covalently Linked to an Acridine Derivative," <i>Nucleic Acids Res.</i> , 19 (15):4067-4074 (1991).		
	DM	AYOOLA, <i>et al.</i> , "Progress in the Control of Viral Hepatitis: Memorandum from a WHO Meeting," <i>Bulletin of the World Health Organization</i> , 66(4):443-455 (1988).		
	DN	BALZARINI, J., "Potent and selective anti-HTLV-III/LAV activity of 2',3'-dideoxycytidine, the 2',3'-unsaturated derivative of 2',3'-dideoxycytidine," <i>et al.</i> , <i>Biochem. Biophys. Res. Comm.</i> , 140(2): 735-742 (October 30, 1986).		
	DO	BEACH, J.W., <i>et al.</i> , "Synthesis of Enantiomerically Pure (2'R,5'S)-(-)-1-[2 (hydroxymethyl)-oathiolan-5-yl]Cytosine...", <i>J. Org. Chem.</i> , 57:2217-2219 (1992).		
	DP	BEASLEY, <i>et al.</i> , "Hepatocellular Carcinoma and Hepatitis B Virus," <i>The Lancet</i> , 1129-1133 (1981).		
	DQ	BELLEAU, B., <i>et al.</i> , "Design and Activity of a Novel Class of Nucleoside Analogs...", <i>Intl. Conf. on AIDS</i> , Montreal, Quebec, Canada, June 4-9, 1989.		
	DR	BOUTELJE, <i>et al.</i> , <i>Chemical Abstracts</i> , 108:128048 (1987).		
	DS	CARTER <i>et al.</i> , "Activities of (-)-carbovir and 3'-azido-3'-deoxythymidine against human immunodeficiency virus in vitro," <i>Antimicrob. Agents Chemother.</i> , 34(6):1297-1300 (June 1990).		

Examiner Signature		Date Considered	
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	EA	CHANG, C., et al., "Production of Hepatitis B Virus in <i>vitro</i> by Transient Expression ..., " <i>EMBO J.</i> , 6(3):675-680 (1987).	
	EB	CHANG, C.-N., et al., "Deoxycytidine Deaminase-resistant Stereoisomer is the Active Form of (+)-2'-3'-Thiacytidine in the Inhibition of Hepatitis B Virus Replication," <i>J. Biol. Chem.</i> , 267(20):13938-13942 (1992).	
	EC	CHANG, C.-N., et al., "Biochemical Pharmacology of (+) and (-)-2',3'-Dideoxy-3'Thioacytidine as Anti-Hepatitis B Virus Agents," <i>J. Biol. Chem.</i> , 267(31):22414-22420 (1992).	
	ED	CHU, C.K., et al., "An Efficient Total Synthesis of 3'-Azido-3'-Deoxythymidine (AZT) and 3'-Azido-2',3'-Dideoxyuridine (AZDDU, CS-87) from D-Mannitol," <i>Tetrahedron Lett.</i> , 29(42):5349-5352 (1988).	
	EE	CHU, et al., "Structure Activity Relationships of Pyrimide Nucleosides as Antiviral Agents for Human Immunodeficiency Virus Type 1 in Peripheral Blood Mononuclear Cells." <i>J. Med. Chem.</i> , 32:612 (1989).	
	EF	CHU, et al., "Asymmetric Synthesis of Enantiomerically Pure (-)-(1'R,4'R)-Dioxolane-thymine and Its Anti-HIV Activity," <i>Tetrahedron Letters</i> , 32(31):3791-3794 (1991).	
	EG	CHU, et al., "Comparative Activity of 2',3'-Saturated and Unsaturated Pyrimidine and Purine Nucleosides ..., " <i>Biochem. Pharm.</i> 37(19):3543-3548 (1988).	
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	EI	CHU, et al., "Synthesis and Anti-HIV and Anti-HBV Activity of Enantiomerically Pure Oxathiolane Nucleosides," <i>Antiviral Research</i> , 17(S1):2 (March 1992).	
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				Group Art Unit	Unassigned
				Examiner Name	Unassigned
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	FA	DOONG, S.-L., et al., "Inhibition of the Replication of Hepatitis B virus <i>in vitro</i> by 2',3'-Dideoxy-3'-Thiacytidine and Related Analogues," <i>Natl. Acad. Sci. USA</i> , 88:8495-8499 (1991).	
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				Examiner Name	Unassigned
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	GA	KIM, H.O., <i>et al.</i> , "Potent Anti-HIV and Anti-HBV Activities of (-)-L-β-Dioxolane-C and (+)-L-β-Dioxolane-T and Their Asymmetric Syntheses," <i>Tetrahedron Lett.</i> , 33(46):6899-6902 (1992).	
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	HA	PERIGAUD, C., <i>et al.</i> , "Equal Inhibition of the Replication of Human Immunodeficiency Virus in Human T-cell Culture by ddA Bis( SATE )phosphotriester and 3'-Azido-2',3'-dideoxythymidine," <i>Biochem. Pharmacol.</i> 48(1):11-14 (July 5, 1994).	
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	HN	SOUDEYNS, H., <i>et al.</i> , "Anti-Human Immunodeficiency Virus Type 1 Activity and Vitro Toxicity of 2'-Deoxy-3'-Thiacytidine....," <i>Antimicrob. Agents and Chemother.</i> , 35(7):1386-1390 (1991).	

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	IA	SPADARI, <i>et al.</i> , "L-Thymidine Is Phosphorylated by Herpes Simplex Virus Type 1 Thymidine Kinase and Inhibits Viral Growth" <i>J. Med. Chem.</i> , 35: no. 22, 4214-4220, (1992).	
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